

REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY

As the below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below my name; I believe I am an original, first inventor of the subject matter which is described and claimed in letters patent number 6,323,497 granted on November 27, 2001, and in the preliminary amendment attached hereto, and in the specification attached hereto, entitled METHOD AND APPARATUS FOR CONTROLLING ION IMPLANTATION DURING VACUUM FLUCTUATION and for which invention I solicit a reissue patent.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification and preliminary amendment, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56.

STATEMENT OF INOPERATIVENESS OF ORIGINAL PATENT 37 CFR 1.175

I hereby aver that I believe the original patent to be partly inoperative or invalid by reason of the patentee claiming more or less than had a right to claim in the patent. At least one error corrected by this reissue application is that the claims in U.S. Patent 6,323,497 are more narrow than is required by the prior art of which Applicant is currently aware. For example, claim 1 is a means-plus-function claim under 35 U.S.C. §112, paragraph six, and thus is potentially of narrower scope than a comparable non means-plus-function claim. In addition, claim 2 recites a wafer drive and recites that the controller controls the wafer drive to adjust a wafer scan rate, both features which are not required in this claim to define over the prior art. New claim 16 is added by the attached preliminary amendment and is intended to be of broader scope than both claims 1 and 2, since new claim 16 is in non means-plus-function format and does not require a wafer drive or adjustment of a wafer scan rate.

Another error corrected by this reissue application is found in dependent claims 3-5, 8 and 9 which recite a difference value and/or an ion beam current reference value that is not recited in independent claim 2, potentially rendering these dependent claims invalid. Claim 2 is amended to recite a difference value and an ion beam current reference value to give proper antecedent basis for these features in claims 3-5, 8 and 9.

All errors being corrected in this reissue application up to the time of filing of this declaration arose without any deceptive intent on the part of the applicant.

POWER OF ATTORNEY

I hereby revoke all prior appointments of attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I now hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

The undersigned hereby appoints the practitioners as defined by:

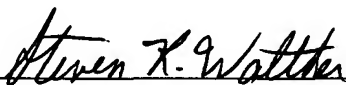
☒ Practitioner(s) named below:

Name	Registration Number
Gary L. Loser, Esq.	30,656
Mark A. Superko	34,027
William R. McClellan	29,409
Robert E. Hunt	39,231

Address all telephone calls to Mark A. Superko, Esq. at telephone no. (978) 282-5915. Address all correspondence to

Mark A. Superko, Esq.
Varian Semiconductor Equipment Associates, Inc.
35 Dory Road
Gloucester, MA 01930

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.



Steven R. Walther
A citizen of the United States
83 Morton Street
Andover, MA 01810

Date: 6/15/03

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

FORM PTO-1595 U.S.
(Rev. 6-93)
OMB No. 0651-0011 (exp. 4/94)

DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Assistant Commissioner for Patents: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Steven R. Walther

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: **May 30, 2000**

2. Name and address of receiving party(ies)

Name: **Varian Semiconductor Equipment
Associates, Inc.**
Internal Address:

Street Address: **35 Dory Road
Gloucester, MA 01930**

Additional name(s) & addresses(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is **May 30, 2000**

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence
Concerning document should be mailed:

Gary L. Loser, Esq.
Vice President and General Counsel
Varian Semiconductor Equipment Associates, Inc.
35 Dory Road
Gloucester, MA 01930

6. Total number of applications and patents involved: **[1]**

7. Total fee (37 CFR 3.41) **\$ 40.00**

☐ Enclosed

☒ Authorized to be charged to deposit account

The Commissioner is authorized to charge:

8. Deposit Account No: 50-0896

DO NOT USE THIS SPACE

9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

William R. McClellan

William R. McClellan

June 2, 2000

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **[2]**

Mail documents to be recorded with required cover sheet information to:

Box Assignment
Commissioner for Patents
Washington, D.C. 20231

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the undersigned Steven R. Walther, hereby

Sell, assign and transfer to Varian Semiconductor Equipment Associates, Inc., a Delaware corporation having a place of business at 35 Dory Road, Gloucester, MA 01930, its successors, assigns and legal representatives, all hereinafter referred to as the Assignee, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent executed of even date herewith and entitled METHOD AND APPARATUS FOR CONTROLLING ION IMPLANTATION DURING VACUUM FLUCTUATION, and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said Assignee may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said Assignee, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said Assignee all facts known to me relating to said inventions and the history thereof, and generally by doing everything possible which said Assignee shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said Assignee.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said Assignee.

Covenant with said Assignee that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me, and that full right to convey the same as herein expressed is possessed by me.

Dated: 5/30/00

Steven R. Walther
Steven R. Walther

STATE OF Massachusetts
COUNTY OF Essex

Subscribed and sworn to before me this 30th day of May
2000.

SEAL Cheryl A. Purcell
Notary Public
My Commission Expires Dec. 18, 2003

Express Mail Label No.: EV292544165US

Date of Deposit: June 24, 2003

ATTORNEY'S DOCKET NO. V00077.70221.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven R. Walther
Serial No: Reissue Application for U.S. Patent 6,323,497
Filed: Herewith
For: METHOD AND APPARATUS FOR CONTROLLING ION IMPLANTATION
DURING VACUUM FLUCTUATION
Examiner: Not Yet Assigned
Art Unit: Not Yet Assigned

MAIL STOP REISSUE
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**ASSENT OF ASSIGNEES TO REISSUE AND
OFFER TO SURRENDER ORIGINAL LETTERS PATENT**

The assignee of the entire interest in Letters Patent for the invention of a METHOD AND APPARATUS FOR CONTROLLING ION IMPLANTATION DURING VACUUM FLUCTUATION, U.S. Patent No. 6,323,497, hereby offer to surrender the original letters patent. Furthermore, the assignee of the entire interest in Letters Patent No. 6,323,497 hereby assents to reissue of the patent.

Varian Semiconductor Equipment Associates, Inc., certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application identified above, a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: Steven R. Walther
To: Varian Semiconductor Equipment Assoc.
The document was recorded in the Patent and Trademark Office at
Reel 010870, Frame 0574, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

Respectfully submitted,

William R. McClellan

Robert E. Hunt, Reg. No. 39,231
William R. McClellan, Reg. No. 29,409
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210
(617) 720-3500

Docket No.: V00077.70221.US

Dated: June 24, 2003